

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SAM-01 OMB-01 CIAE-00 PM-04 H-02 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

SAJ-01 /062 W

----- 027759

P R 151812Z MAR 76

FM AMEMBASSY MADRID

TO SECSTATE WASHDC PRIORITY 4971

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

USMISSION NATO

USEC BRUSSELS

SECDEF

DIA

USCINCEUR

CINCUSAFE

CINCUSNAVEUR

C O N F I D E N T I A L SECTION 1 OF 2 MADRID 2023

E.O. 11652: GDS

TAGS: MILI, PINT, SP

SUBJ: POLITICS IN THE SPANISH MILITARY--NINE OFFICERS SENTENCED

FOR CONSPIRACY TO (INCITE) MILITARY REBELLION

REF: (A) USDAO IR 6889 0071 76 (DTG 101700Z MAR 76);

(B) USDAO IR 6889 0072 76 (DTG 111400Z MAR 76) (NOTAL)

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SUMMARY: ON MARCH 10, A SPANISH MILITARY TRIBUNAL CON-

VICTED AND SENTENCED ALL NINE OF THE SPANISH MILITARY OFFICERS WHO HAD BEEN ARRESTED AT THE END OF JULY 1975 ON SUSPICION OF SUBVERSION. (DETAILS ARE REPORTED IN REFTELS.) THE SENTENCING ITSELF ADDED BUT LITTLE TO THE HEIGHTENED POLITICAL TENSION OF RECENT WEEKS IN SPAIN; IT HAS BEEN LESS IMPORTANT AS A SPECIFIC EVENT THAN AS A SYMPTOM OF HOW DIFFICULT IT IS FOR THE SENIOR MILITARY LEADERSHIP TO ADAPT TO POLITICAL CHANGES NOW OCCURRING HERE. WE BELIEVE THE HARSHNESS OF THE SENTENCES METED OUT BY THE COURT WILL IF UPHELD, PROVE COUNTERPRODUCTIVE--PERHAPS DISCOURAGING OPEN MILITARY DISSENT IN THE SHORT RUN BUT ACCENTUATING DIFFERENCES WITHIN THE MILITARY ESTABLISHMENT. END SUMMARY.

1. THE NINE OFFICERS INVOLVED HAVE BEEN SENTENCED UNDER THE MILITARY CODE OF JUSTICE FOR CONSPIRACY TO MILITARY REBELLION AND HAVE BEEN SENTENCED TO TERMS OF IMPRISONMENT OF BETWEEN 2 1/2 AND 8 YEARS. ONLY ONE OF THE NINE COOPERATED BY TESTIFYING ON HIS OWN BEHALF. ALL BUT TWO OF THE NINE WILL BE EXPelled FROM THE ARMED FORCES, A PUNISHMENT GENERALLY REGARDED BY MILITARY OFFICERS TO BE MORE SEVERE THAN THE JAIL TERMS THEMSELVES. (ONE DEFENSE ATTORNEY TERMED IT "SPIRITUAL DEATH.") WHILE NO APPEAL PER SE IS POSSIBLE, THE SENTENCES ARE AUTOMATICALLY REVIEWED FOLLOWING AN OPPORTUNITY FOR THE DEFENDANTS TO INTRODUCE NEW ARGUMENTS (WHICH THEY MAY NOW HAVE DONE, ACCORDING TO PRESS REPORTS). THE TWO NOT FACING EXPULSION ALREADY ENJOY PROVISIONAL LIBERTY AND IT IS EXPECTED THAT THEY, AND PERHAPS TWO OTHERS, WILL BENEFIT SUFFICIENTLY FROM THE ROYAL COMMUTATION OF SENTENCES (INDULTO) OF LATE 1975 SO THAT THEY WILL NOT SERVE THEIR SENTENCES. THE OTHER FIVE MAY SERVE CONSIDERABLY LESS THAN THEIR FULL SENTENCES. A TENTH OFFICER (AIR FORCE CAPT DOMINGUEZ) WHO WAS PART OF THIS GROUP, REMAINS IN VOLUNTARY EXILE, WHILE AN 11TH E (ARMY CAPT HERREROS) WAS ARRESTED ONLY ON FEB 26.

2. THE COViction ON GROUNDS OF CONSPIRACY TO MILITARY REBELLION IS BASED ON THE COURT'S DECISION THAT THEIR ALLEGED MEMBERSHIP IN THE SO-CALLED DEMOCRATIC MILITARY UNION (UMD) CONSTITUTED MEMBERSHIP IN A SUBVERSIVE ORGANIZATION WHOSE PURPOSES ARE THE VIOLENT OVERTHROW OF THE INSTITUTIONS OF THE STATE. AS WE HAVE INDICTED IN EARLIER REPORTING, IT HAS NEVER BEEN CLEARLY

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ESTABLISHED TO US THAT THE UMD MERITS SUCH A DESCRIPTION. WE ARE INCLINED TO BELIEVE THAT IT BEGAN A YEAR OR MORE AGO AS A SMALL, RATHER LOOSE REFORMIST ASSOCIATION OF RELATIVELY YOUNGER OFFICERS WHOSE FOCUS WAS ORIGINALLY MORE ON THE NEED FOR INTERNAL MILITARY REFORM THAN ON SPANISH POLITICS PER SE, AND THAT NO MORE THAN A FEW HUNDRED OFFICERS HAVE PARTICIPATED AT ALL ACTIVELY. THERE IS SOME REASON TO BELIEVE THAT SEVERAL OF THOSE CONVICTED HAVE HAD CONTACTS WITH THE EXTREME LEFT. IT

HAS NOT BEEN ESTABLISHED THAT ANY OF THEM ARE COMMUNIST PARTY ACTIVISTS, ALTHOUGH THIS CANNOT BE RULED OUT.

3. THE UMD HAS BECOME A REFLECTION OF THE PUBLIC POLITICAL DEBATE GOING ON IN SPAIN, WHICH HAS SHARPENED IN THE PAST YEAR AND FROM WHICH IT IS IMPOSSIBLE, OF COURSE, TO ISOLATE THE SPANISH MILITARY. DESPITE THE CLEAR WARNIGNS ISSUED BY THE MILITARY LEADERSHP, THIS WILL NOT BE THE LAST TIME THAT YOUNGER SPANISH OFFICERS JOIN TOGETHER TO PRESS FOR MILITARY REFORMS AND POLITICAL CHANGE IN SPAIN, IF FACT, REPORTS HAVE ALREADY FILTERED IN SUGGESTING A POSSIBLE EFFORT TO ESTABLISH A NEW MILITARY UNION WITHOUT THE UMD'S POLITICAL LINKAGES, AND THE CLANDESTINE COMMUNIST RADIO ANNOUNCED LATE IN FEBRUARY THE FORMATION OF A "DEMOCRATIC UNION OF SOLDIERS."

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SAJ-01 /062 W  
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INFO AMEMBASSY BONN  
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4. THE EFFORTS BY THE COMMUNIST PARTY TO CREATE EVIDENCES ACROSS THE NATION OF PUBLIC SOLIDARITY WITH THESE OFFICERS HAVE ENJOYED ONLY LIMITED SUCCESS THUS FAR. CALLS FOR A DAY OF STRUGGLE, TO INCLUDE DEMONSTRATIONS IN THE VICINITY OF MILITARY INSTALLATIONS, HAVE YET TO BEAR FRUIT. STILL, THE BROADER LEFTIST CHAMPIONING OF THESE OFFICERS (THE UNSUCCESSFUL EFFORTS OF PROMINENT PROGRESSIVE CIVILIAN ATTORNEYS TO REPRESENT THEM, PETITIONS, ACTS OF SOLIDARITY AT UNIVERSITIES, ETC.) HAVE GIVEN

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THE WHOLE PROCESS GREATER POLITICAL PROFILE. (THE NATION'S LEADING PRESS HAS, HOWEVER, AVOIDED EDITORIALIZING. THE RIGHT -WING "ALCAZAR" HAS BARELY SEEN FIT TO MENTION THE TRIAL.) CERTAINLY THE ENTIRE PROCEDURE HAS SHARPENED SOMEWHAT THOSE DIFFERENCES WHICH EXIST WITHIN THE MILITARY ESTABLISHMENT AND IF UPHELD, THE SENTENCES WILL, WE BELIEVE, ACCENTUATE OVER THE LONG RUN THE PROBLEMS THE SENIOR MILITARY AUTHORITIES HOPED THEY WOULD HETM RESOLVE.

5. THEY HAD HOPED, BY THE INITIAL ARRESTS AND BY THE SENTENCES TO UNDERLINE TO THOSE IN THE MILITARY CAREER, AND TO OTHERS AS WELL, THAT POLITICAL ACTIVITY--INDEED, ANY ORGANIZED DISSENT--WITHIN THE MILITARY WILL NOT BE ALLOWED, EXCEPT FOR THAT ACTIVITY WHICH THESE CIVIL WAR VETERANS CONSIDER THEIR CONSTITUTIONAL DUTY IN THE NAME OF DEFENDING NATIONAL UNITY, TERRITORIAL INTEGRITY, AND THE EXISTING CONSTITUTIONAL SYSTEM.

6. THEIR EFFORTS TO GET THIS MESSAGE ACROSS ALLOWED DONNING OF ONLY A THIN VELVET GLOVE IN THIS CASE--IN THE FORM OF SENTENCES SOMEWHAT REDUCED FROM THOSE REQUESTED BY THE PROSECUTION, AND THE PRESNECE OF A PRESS POOL AND BAR ASSOCIATION REPRESENTATIVES AT THE TRIAL. RUMOR HAS IT THAT THE LINE WAS DRAWN AT ADMITTING A REPRESENTATIVE OF AMNESTY INTERNATIONAL, DESPITE THE SUPPOSED INTERVENTION ON HER BEHALF BY FOREIGN MINISTER AREILZA HIMSELF.

7. IT SEEMS TO US STRETCHING THE POINT TO ATTEMPT TO EXTRAPOLATE FROM THIS SINGLE EVENT ANY FAR-REACHING CONCLUSIONS ABOUT THE COMPLEX PROBLEM OF THE IMPACT OF POLITICAL CHANGE IN SPAIN ON THE MILITARY ESTABLISHMENT. BY AND LARGE, THIS ESTABLISHMENT REMAINS CONSERVATIVE, HIGHLY MOTIVATED, ENTIRELY RELIABLE, AND BASICALLY OPPOSED TO POLITICAL ACTIVITY BY MILITARY OFFICERS. THE RECOGNIZED GENERATIONAL GAP REMAINS MORE A PRODUCT OF PROFESSIONAL COMPLAINTS THAN OF POLITICAL DIFFERENCES, ALTHOUGH

THE HIGHER LEVEL OF PLITICAL FERMENT IN SPAIN INEVITABLY IS FINDING SOME ECHO AMONG MILITARY PERSONNEL. WHILE THIS PROVIDES OPPORTUNITIES FOR EXPLOITATION BY THE LEFT, WE DO NOT NOW SEE AS MUCH OF AN OBSTACLE TO MODERATE POLITICAL AND SOCIAL EVOLUTION IN THIS QUARTER AS IN THAT OF THE HIGHLY CONSERVATIVE CIVIL WAR VETERANS WHO CONTINUE TO MANAGE THE MILITARY ESTABLISHMENT. MOREOVER, THE POLITICAL REFORM PROGRAM OF THE

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PRESENT GOVERNMENT REDUCES THE MOTIVATION FOR POLITICAL ACTIVISM BY YOUNGER OFFICERS, SO LONG AS IT HAS A REASONABLE CHANCE FOR SUCCESS.

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## Message Attributes

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